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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,792	06/28/2001	Xiong Liu	STL9862/40176.59USU1	8303

7590 01/26/2005
Fellers, Snider, Blankenship, Bailey & Tippens
Bank One Tower
100 North Broadway, Suite 1700
Oklahoma City, OK 73102-8820

EXAMINER

SNIEZEK, ANDREW L

ART UNIT PAPER NUMBER

2651

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,792

Applicant(s)

LIU ET AL.

Examiner

Andrew L. Sniezek

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-12, 14-22 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-22, 24 and 25 is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-8, 10-11, 15-17, 26, 27 is/are rejected.
- 7) ☒ Claim(s) 5, 9, 12, 14, 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The following action is taken in view of the amendment filed 8/26/04.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 6-8, 10-11, 15-17, 26, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Krounbi et al. (US006600620B1)

Concerning claim 1: Krounbi et al. teaches a method of servowriting having a head with an offset between read and write elements (figure 3, elements 22, 24); reading a servo wedge (6) on a first track, first radial location (figure 3, column 5, lines 27-32); during the instance a first sector passes by the head writing two or more bursts on a second track with the write element (bursts 40B at second radial location, column 5, lines 34-39).

Re claim 2: repeating steps during one revolution taught by (column 6, lines 10-17).

Re claim 3: (column 9, lines 29-42).

Re claim 6: reading performed before writing is satisfied by (column 7, line 21, selected delay).

Re claims 7-8: satisfied since seed data (column 9, lines 29-42) one or two bursts are already written which are then read before further writing of servo information.

Art Unit: 2651

Re claim 10: "Apparatus claims 10, 11, 15-17 are drawn to the apparatus corresponding to the method of using same as claimed in claims 1, 2, 6-8 respectively. Therefore apparatus claims 10, 11, 15-17 correspond to method claims 1, 2, 6-8, and are rejected for the same reasons of anticipation (obviousness) as used above." In addition claim 10 sets forth one or more disks and a read/write channel that is satisfied by one disk (18) and channel, lines' connected to preamplifier (46), figure 3, 8A.

Re claims 26-27: these claims set forth similar limitations as set forth in claims 1 and 10 respectively with the term "less than one revolution" being interpreted as "during the instance" as set forth in claims 1 and 10 and therefor satisfied by Krounbi et al. for reasons given with respect to claims 1 and 10.

Allowable Subject Matter

4. Claims 19-22, 24-25 are allowed.
5. Claims 5, 9, 12, 14, 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter: Concerning claim 19 (written in means plus function), the means for writing servo wedges is considered as applicant points out in the remarks, pages 10-12 is comprised of a write element, a read element and programmed instructions for performing the propagation step 170 of figure 3 which comprises the process steps illustrated in figures 4A-4C is neither taught by nor an obvious variation of the art of record. Concerning claim 9/1, the claimed method that as defined and which includes

Art Unit: 2651

finding a head offset, repeating steps "h" and "i" a set of repetitions equal to the head offset and repeating the finding steps defined in step "k" but not the claimed reading steps used in the immediately preceding two sets of repetitions is neither taught by nor an obvious variation of the art of record. Concerning claim 12/10, the claimed drive as set forth that additionally sets forth at least three servo wedges (each comprised of two servo bursts as shown by figure 5) are located in each sector position for a number of adjacent tracks greater than the offset between the read element and the write element as set forth is neither taught by nor an obvious variation of the art of record. Concerning claim 18/10, the claimed drive as set forth that further includes finding a head offset and switching to a different order the reading and writing for each sector position after reading the servo wedge and the writing servo wedges according to a first order for a number of tracks equal to the head offset is neither taught by nor an obvious variation of the art of record. Concerning claims 5 and 14 the claimed method as set forth in claim 14/1 and drive as set forth in claim 14/10 that additionally records the head position determined from the reading/writing steps or read/write channel reads as set forth is neither taught by nor an obvious variation of the art of record.

Response to Arguments

7. Applicant's arguments filed 8/26/04 have been fully considered but they are not persuasive. Although applicants remarks concerning Krounbi et al. are correct during any given revolution, plural burst (either plural A burst) or plural B burst are written) satisfying the claimed limitations It is noted that the claims do not set forth recording A bursts and B bursts (a servo wedge) as previously set forth. If the claims are amended

Art Unit: 2651

to include the previously set forth language then the 35 USC 112 rejection would be reinstated for reasons already given by examiner. There is nothing that supports writing less than complete servo wedges in one pass as argued by applicant and it is not clear from the specification how complete servo wedges are recorded as pointed out in the previous office action.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

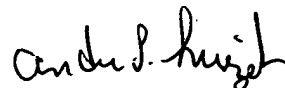
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Sniezek whose telephone number is 703-308-1602. The examiner can normally be reached on Mon.-Fri..

Art Unit: 2651

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh N Tran can be reached on 703-305-4040. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Andrew L. Sniezek
Primary Examiner
Art Unit 2651

A.L.S.
1/13/05